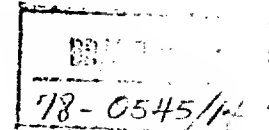


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28 July 1978

MEMORANDUM FOR: Chief, Plans Staff, OP

SUBJECT : Agency Contingency Plans for Implementation of
Civil Service Reform Bill

1. Since mid-1977, the Office of Personnel, along with other Agency components (notably OLC and OGC) has been closely "tracking" the progress of the Civil Service Reform Bill of 1978. Beginning with the issuance of "option" papers in Aug 77, CIA has responded to OMB and the Civil Service Commission with scores of memoranda and letters, outlining our position on all the issues, and requesting exemptions from the various sections which we felt would have an adverse impact upon our personnel systems and operations.

2. Early in 1978, the Agency received reasonable assurances from CSC and OMB that our concerns were legitimate and that in all probability we would be exempt from those troublesome provisions. These assurances came from the Chairman of the Commission, Alan Campbell, as well as from other officials in the Administration.

3. During the months of June and July 1978, the Senate Committee on Governmental Affairs, as well as the House Committee on Post Office and Civil Service conducted "mark-up" sessions on the Reform Bill. The results leave us with considerable doubt as to our future status, vis-a-vis the Legislative Package.

4. The Senate Committee's Report excludes CIA from coverage of most of the troublesome sections of Title I through Title VI. The House Report, although not yet finalized, reflects a somewhat different version. The only exclusion for CIA (at least in the drafts available to us) is contained in Chapter 23, Title I, the "Merit System Principles." It provides that "CIA and NSA are excluded from the provisions of Chapter 23, Merit System Principles. These Agencies shall adhere to the concepts contained in the merit principles, but the merit principles shall not be construed to impair the authorities and responsibilities set forth in the National Security and CIA Acts."

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5. It is the judgment of the Vice-Chairman of the Civil Service Commission, Mr. Jule Sugarman, that the House version of the Bill is more apt to carry through the Congress than the Senate Version. This was expressed by the Vice-Chairman at the Interagency Advisory Group (IAG) meeting at the Commission on 20 July 1978. If that occurs, then the Agency must develop a strategy to cope with this eventuality.

6. In my judgment, the main concerns for the Agency are in the following areas:

Title I - Section 2303 (Merit System Principles) - The responsibility of the General Accounting Office (GAO) "to conduct audits and reviews to determine compliance with the laws, rules, and regulations governing employment in the executive branch to assess the effectiveness and soundness of Federal personnel management."

Title II (Adverse Action) - The almost unlimited role of the Special Counsel and the Comptroller General to become involved in any and all "whistle-blowers" allegations. This would conflict with the present authorities of the DCI to protect disclosures of classified information or information involving intelligence sources and methods.

Title IV (Senior Executive Service) - the SES would require the Agency to allow senior officers from any Government Agency to occupy top management positions, thus undercutting our employees who are chosen and trained in operations, analytical, and support positions and advanced in a competitive process to the senior ranks on the basis of merit. The provisions of Title IV may not be of immediate concern to CIA since the latest plan will be on an experimental basis--limited to three Agencies and involving only a relatively few of the original 9,000 eligible members of the Service. However, if and when expanded, the SES could have a dramatic impact on CIA.

7. The Civil Service Commission is presently developing an implementation plan for involving Agencies in preparing for the Civil Service Reform. We should follow this plan closely through contacts at the Commission and by regular attendance at the Interagency Advisory Group (IAG) monthly meetings. The Implementation Plan will be developed and put into action by the end of Oct 1978.

8. If the reform Bill becomes law during the present session (18 Aug is the schedule date for adjournment) Agencies will be required to comply with the provision of the Law, probably by 1 Jan 1979. This will require the Agency to finalize its implementation plans between the latter part of Aug and the end of Dec. A special task force should be established for that purpose, made up of representatives from the Office of Personnel, Office of Legislative Counsel, Office of General Counsel, and the Office of the Inspector General. This group should be

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charged with the responsibility for planning the implementation of the Bill in the event the Congress does not exclude us from the many sections which have been previously identified.

STATINTL

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ROUTING AND RECORD SHEET

DDA 78-054514

DD/A Registry

File Personnel

SUBJECT: (Optional)

FROM: Director of Personnel
5 E 58 HQ

EXTENSION

NO.

DATE

4 AUG 1978

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Executive Officer, DDA

2. Associate DDA

3. Deputy Director for Administration

4.

5.

6.

7. Director of Personnel
5 E 58 HQ

8.

9.

10.

3. May I have your comment on paragraph 8.

Suggest you get in touch with Bruce & Yvonne from OGC & OLC who have been working this problem & see what the latest status is.

'Suggest you get in touch with Bruce & Yvonne from OGC & OLC who have been working this problem & see what the latest status is. /s/Jack Blake"

DDA:JFBlake:kmg (8 Aug 78)

Distribution:

- Orig RS - D/Pers w/att
- X - DDA Subj w/att
- 1 - DDA Chrono
- 1 - JFB Chrono

Att: Memo dtd 28 Jul 78 to C/PS/OP fr [redacted]

[redacted] subj: Agency Contingency Plans for Implementation of Civil Service Reform Bill (DDA 78-0545/14)

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TRANSMITTAL SLIP		DATE
TO:		
ROOM NO.	BUILDING	
REMARKS:		
<p><i>Of interest -</i> <i>The Author came to OP</i> <i>from OTR as part of</i> <i>the DD/A intra rotation</i> <i>program.</i> <i>J.</i></p>		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)